

DOCKET NO.: JJPR-0032

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Lovenberg, et al.

Application No.: 10/626,445

Filing Date: July 23, 2003

For: DNAs ENCODING MAMMALIAN HISTAMINE RECEPTOR OF THE H4
SUBTYPE

Confirmation No.: 1837

Group Art Unit: 1653

Examiner: Not Yet Assigned

DATE OF DEPOSIT: *October 5, 2004*

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P.O. Box 1450
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Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).



In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of

the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- ☐ In accordance with § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of **\$180.00** as set forth in § 1.17(p) is attached.

- ☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

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- ☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of **\$180.00** as set forth in § 1.17(p).

- ☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- ☒ Copies of references listed on the attached Form PTO-1449 are enclosed herewith
- ☒ Copies of references listed on the attached Form PTO 1449 are not required to be submitted pursuant to the June 30, 2003 recent revisions to 37 CFR § 1.98(a)(2)(i).

EXCEPT THAT:

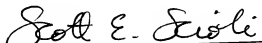
- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☐ In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:
- ☐ Copies of references [list as appropriate] listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No.

, filed

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

There are no listed references which are not in the English language.

Date: *October 4, 2004*



Scott E. Scioli
Registration No. 47,930

WOODCOCK WASHBURN LLP
One Liberty Place - 46th Floor
Philadelphia, PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439



Sheet 1 of 3

Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office		Docket No. JJPR-0032	Application No. 10/626,445
		Applicant Lovenberg, et al.	
		Filing Date July 23, 2003	Group 1653
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
	1	Arrang, J-M. et al., "Auto-Inhibition of Brain Histamine Release Mediated by a Novel Class (H3) of Histamine Receptor", <i>Nature(London)</i> , April 1983 , 302, 832-837	
	2	Clark, M.A. et al., "Guanine Nucleotides and Pertussis Toxin Reduce the Affinity of Histamine H3 Receptors on AtT-20 Cells", <i>Agents Actions</i> , 1993 , 40, 129-134	
	3	Clark, M.A. et al., "High Affinity Histamine H3 Receptors Regulate ACTH Release by AtT-20 Cells", <i>European Journal of Pharmacology</i> , 1992 , 210, 31-35	
	4	De Vos, C., "H1-Receptor Antagonists: Effects on Leukocytes, Myth or Reality", <i>Clinical and Experimental Allergy</i> , 1999 , 29(3), 60-63	
	5	Gantz, I. et al., "Molecular Cloning of a Gene Encoding the Histamine H2 Receptor", <i>Proc. Natl. Acad. Sci. USA</i> , 1991 , 88, 429-433	
	6	Hill, S.J. et al., "International Union of Pharmacology. XIII. Classification of Histamine Receptors", <i>Pharmacological Reviews</i> , 1997 , 49(3), 253-278	
	7	Kohler, G., et al. "Continuous Cultures of Fused Cells Secreting Antibody of Predefined Specificity", <i>Nature</i> , 1975 , 256, 495-497	
	8	Koning, M. et al. "Method for Identifying Ligands that Bind to Cloned Gs-or Gi-Coupled Receptors", <i>Molecular and Cellular Neurosciences</i> , 1991 , 2, 331-337	
	9	Lovenberg, T.W. et al., "Cloning and Functional Expression of the Human Histamine H3 Receptor", <i>Molecular Pharmacology</i> , 1999 , 55, 1101-1107	
	10	Mikayama, T et al., "Molecular Cloning and Functional Expression of a cDNA Encoding Glycosylation-Inhibiting Factor", <i>Proc. Natl. Acad. Sci. USA</i> , 1993 , 90, 10056-10060	
EXAMINER		DATE CONSIDERED	

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		Filing Date July 23, 2003	Group 1653
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
	11	Oda, T. et al., "Molecular Cloning and Characterization of a Novel Type of Histamine Receptor Preferentially Expressed in Leukocytes", <i>The Journal of Biological Chemistry</i> , 2000 , 275(47), 36781-36786	
	12	Pollard, H. et al., "A Detailed Autoradiographic Mapping of Histamine H3 Receptors in Rat Brain Areas", <i>Neuroscience</i> , 1993 , 52(1), 169-189	
	13	Raible, D.G. et al., "Pharmacologic Characterization of a Novel Histamine Receptor on Human Eosinophils", <i>Am J Respir Crit Care Med</i> , 1994 , 1506-1511	
	14	Voet, D. et al., <i>Biochemistry</i> , John Wiley & Sons, Inc., 1990 , 126-127-228-233	
	15	Yamashita, M. et al., "Expression Cloning of a cDNA Encoding the Bovine Histamine H1 Receptor", <i>Proc. Natl. Acad. Sci</i> , 1991 , 88, 11515-11519	
EXAMINER		DATE CONSIDERED	

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				Filing Date July 23, 2003		Group 1653	
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Examiner Initial		Document No.	Date	Name	Class	Subclass	
	16	5,817,480	10/06/98	Murry, et al.	435	69.1	
	17	5,882,893	03/16/99	Goodearl	435	69.1	
	18	5,885,824	03/23/99	Yamada, et al.	435	252.3	
	19	6,136,559	10/24/00	Lovenberg, et al.	435	69.1	
	20	6,204,017 B1	03/20/01	Behan, et al.	435	69.1	
	21	2002/0132755 A1	09/19/02	Jenkinson, et al.	514	1	
FOREIGN PATENT DOCUMENTS							
Examiner Initial		Document No.	Date	Country	Translation		
	22	WO 01/85786 A2	11/15/01	PCT	YES	NO	
EXAMINER				DATE CONSIDERED			